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5 Attorney for Plaintiff,
6 Robert D. Barnhart

7 **UNITED STATES DISTRICT COURT**
8 **DISTRICT OF NEVADA**
9

10 ROBERT D. BARNHART,

11 Plaintiff,

12 vs.

13 CHEVY CHASE BANK, FSB;
14 MORTGAGE ELECTRONIC
15 REGISTRATION SYSTEMS, INC., T.D.
SERVICE COMPANY; CAPITAL
ONE, N.A.; et al.

16 Defendants.
17

) **Case No.: 2:10-cv-01070-RLH-PAL**

) **PLAINTIFF'S RESPONSE TO**
) **DEFENDANT CAPITAL ONE'S**
) **MOTION TO EXPUNGE**

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19 **COMES NOW THE PLAINTIFF, ROBERT D. BARNHART, AND RESPONDS**
20 **TO DEFENDANT CAPITAL ONE'S MOTION TO EXPUNGE (Document No. 56, dated**
21 **December 15, 2010) and incorporates herein by express reference as though fully set forth**
22 **at length his Omnibus Response (Document No.63, dated January 01, 2011 and filed on**
23 **January 1, 2011 that includes his Response to the said Motion.¹**

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27 ¹ Document 63 correction on Page 25 line 2 to read ,“It is more than noteworthy that on Sept. 1, 2010, on an
28 identical set of facts, Judge Navarro...”

1 Respectfully submitted,

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3 Dated: January 2, 2011
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5 /s/ Jude E. Nazareth

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CERTIFICATE OF SERVICE

I certify that on this 2nd day of January, 2011, I did serve via Case Management/Electronic Case Filing, a copy of the above and foregoing:

**PLAINTIFF'S RESPONSE TO DEFENDANT CAPITAL ONE'S MOTION
TO EXPUNGE**

Addressed to:

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